

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DOUGLAS J. SIMONSON and KAREN J.
SIMONSON,

Appellants,

v.

MICHAEL McCARTY, et al.,

Appellees.

CASE NO. C06-1326-JCC

BANKRUPTCY APPEAL

ORDER

This matter comes before the Court on its own motion and with respect to the Notice of Deficiency of Appeal (Dkt. No. 7) filed on November 14, 2006 by the Clerk of the United States Bankruptcy Court for the Western District of Washington, this Court's subsequent order to show cause giving Appellants until February 23, 2007 to show cause why this matter should not be dismissed for failure to prosecute (Dkt. No. 9), Appellants' response on February 21, 2007 indicating that counsel would file a motion to withdraw as attorney by February 27, 2007 (Dkt. No. 11) if necessary, and this Court's subsequent extension of the show cause deadline to March 9, 2007 (Dkt. No. 12). No filings have been made in over a month and counsel has not moved to withdraw; nor does the Court have any indication that Appellants intend to prosecute this matter; nor does it appear that identified deficiencies (*see* Dkt. Nos. 3, 4, 7) can be cured in any event. Accordingly, pursuant to Local General Rule 3, the

ORDER – 1

1 Court hereby DISMISSES this matter for failure to prosecute. The Clerk is directed to CLOSE this case.

2 SO ORDERED this 17th day of April, 2007.

3 
4 John C. Coughenour
United States District Judge